In the High Court of Uttaranchal at Nainital.

Criminal Revision No. 210/2001
(Old No. 64 of 1993)

Ghyan Chandra and others----------Revisionists.
Vs.
State of U.P. and another ----------Respondents.

Hon'ble Irshad Hussain, J.

None appear for the revisionists. Heard Sri H.C. Pandey learned A.G.A. and perused the record.

2- The revision under section 397/401 of the Code of Criminal Procedure (for short' Code') was preferred against the summoning order under section 204 of the 'Code'. The summoning order dated 11-12-1992 was passed in criminal complaint case no. 680/1992 by the then C.J.M., Uttarkashi. Perusal of the order and the material on record clearly reveal that the allegations of the criminal complaint were supported by the evidence recorded under sections 200 and 202 of the 'Code' and on finding the prima facie case being established the summoning order was passed. The revisionists-accused are alleged to have committed the offence of assault in furtherance of the common object of the unlawful assembly and have also criminally intimidated the victim-complainant respondent no.2. The summoning order is based on sufficient material on record and therefore revision petition lack merit and is liable to be dismissed.

3- The revision is dismissed. Stay order dated 18-1-1993 is vacated. The C.J.M. Uttarkashi is directed to expedite the trial of the criminal case no. 680/1992.

(Irshad Hussain, J.)

Date: 8-4-2004

ISB